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Attorney for Defendants

**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION**

**JOSEPH WALSH,**

**3:15-cv-01666 SI**

**PLAINTIFF,**

**DECLARATION OF DANIEL SIMON**

**v.**

**BRYANT ENGE, CHARLIE HALES,  
CITY OF PORTLAND,**

**(In Support of Defendants' Reply in  
Support of Their Motion for Summary  
Judgment)**

**DEFENDANTS.**

I, Daniel Simon, Assistant Deputy City Attorney representing defendants City of Portland, Charlie Hales and Bryant Enge in the above-entitled matter, declare as follows:

1. I am one of the attorneys of record in the above-captioned case.
2. During the September 10, 2015 telephone conference at the onset of this case, the parties agreed to resolve this case through cross-motions for summary judgment and set the following case schedule: [Defendants'] Answer due by 10/16/2015. Cross-motions for summary judgment due by 10/30/2015. Responses due 11/20/2015. Replies due 12/4/2014 (*see docket #12, Minutes of Telephone Conference*).

3. On November 23, 2015, the Office of City Attorney received a copy of a document entitled "Response to the City's Brief Concerning Their Motion for Summary Judgment" ("Plaintiff's Second Response") via mail from plaintiff Joseph Walsh.
4. Attached to this declaration as Exhibit 1 is a true and correct copy of Plaintiff's Second Response.
5. As of December 4, 2015, there was no entry in the court's docket sheet for this matter listing a docket number for Plaintiff's Second Response.
6. Attached to this declaration as Exhibit 2 is a true and correct copy of the court's docket sheet in this matter.
7. Defendant's Reply is a reply to Plaintiff's Second Response.
8. I make this declaration in support of Defendants' Reply in Support of Their Motion for Summary Judgment.

**I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.**

DATED: December 4, 2015.



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Daniel Simon

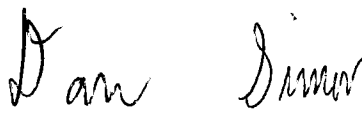
CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing DECLARATION OF DANIEL SIMON on:

Joseph F. Walsh  
7348 SE Division Street  
Portland, OR 97206  
*Plaintiff-Pro Se*

on December 4, 2015, by causing a full, true and correct copy thereof, addressed to the last-known address (or fax number) of said attorney, to be sent by the following method(s):

- ☒ by **mail** in a sealed envelope, with postage paid, and deposited with the U.S. Postal Service in Portland, Oregon.
- ☐ by **hand delivery**.
- ☒ by **email** pursuant to LR 5-2(b).
- ☐ by **facsimile transmission**.
- ☐ by **email**.



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